

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Edward Wuebbels,

Civil 05-2820 DSD/FLN

Petitioner,

v.

O R D E R

J. S. Walton, Warden,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated May 25, 2006, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that to the extent petitioner seeks an order that the Bureau of Prisons reconsider the length of time petitioner should be assigned to an RRC pursuant to the factors set forth in 18 U.S.C. Section 362(b), the petition is GRANTED. *See Fults*, 442 F.3d at 1190. To the extent that petitioner seeks an immediate assignment to an RRC, the petition is DENIED.

DATED: June 28, 2006.
at Minneapolis, Minnesota

s/David S. Doty
JUDGE DAVID S. DOTY
United States District Court